



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 016-18
948 EAST CARRILLO ROAD
MODIFICATIONS
APRIL 11, 2018

APPLICATION OF MISAEL CONTRERAS, AGENT FOR GRANT DAVIS, 948 EAST CARRILLO ROAD, APN 029-316-001, R-2 (TWO-UNIT RESIDENTIAL) ZONE, GENERAL PLAN DESIGNATION: MEDIUM DENSITY RESIDENTIAL (12 DU/ACRE) (MST2018-00004)

The 2,718 square foot triangular-shaped site is currently developed with a single-family residence. The proposed project involves the conversion of an existing basement to habitable space and a residential addition to accommodate new stairs to access the basement level.

The discretionary applications under the jurisdiction of the Staff Hearing Officer required for this project are:

1. Front Setback Modification to allow the proposed addition to encroach into the required 15'-0" front setback (SBMC §30.20.030.B and SBMC §30.250.030.B); and
2. Open Yard Modification to allow the reduction of the existing non-conforming open yard (SBMC §30.165.100 and SBMC §30.250.030.B).

The project requires an environmental finding pursuant to California Environmental Quality Act Guidelines Section 15101 (Existing Facilities) and 15305 (Minor Alterations in Land Use Limitations).

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor or in opposition of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, April 2, 2018
2. Site Plans
3. Correspondence received in support of the project:
 - a. Matt Dobberteen, Santa Barbara, CA

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

- I. Approved the subject application, making the following findings and determinations:
 - A. The Front Setback Modification to allow a proposed residential addition to encroach into the required 15'-0" front setback along North Alisos Street is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The existing access to the basement does not meet Building

Code, in regards to both the stair width and head clearance. The proposed addition would provide code compliant stairs to the basement level. Further, the proposed encroachment would continue the plane of the existing non-conforming single family residence, and not encroach any farther into the required front setback.

- B. The Open Yard Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The lot is subject to two front setbacks, which greatly decreases the amount of square footage on the lot that is eligible for open yard designation. Although the designated open yard would be only 210 square feet, when considering both designated and functional open yard area (2,396 square feet, total), the open space on the lot is nearly triple that of the requirement (800 square feet). The designated open yard, in conjunction with the functional open space areas in the two front setbacks, provide a sense of openness for the residential development and space for outdoor living.

II. Said approval is subject to the following conditions:

- A. **Requirement for Archaeological Resources.** The following information shall be printed on the grading plans (site plan):


If archaeological resources are encountered or suspected, work shall be halted or redirected immediately and the Planning Division shall be notified. The archaeologist shall assess the nature, extent, and significance of any discoveries and develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

This motion was passed and adopted on the 11th day of April, 2018 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.

 4/11/18
Krystal M. Vaughn, Commission Secretary Date

PLEASE BE ADVISED:

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
4. Subsequent to the outcome of any appeal action, your next administrative step should be to apply for a building permit.
5. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
6. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire three (3) years from the date of the approval, per SBMC §30.205.120, unless:
 - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
 - b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
 - i. an Issuance of a Certificate of Occupancy for the use, or;
 - ii. one (1) year from granting the approval.

